

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:19-00067

TRISTAN MONROE BALDWIN

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On November 5, 2020, the United States of America appeared by M. Ryan Blackwell, Assistant United States Attorney, and the defendant, Tristan Monroe Baldwin, appeared in person and by his counsel, Andrew J. Katz, for a hearing on the petition seeking revocation of supervised release submitted by United States Probation Officer Mark Ruscello. The defendant commenced a three-year (3) term of supervised release in this action on July 10, 2020, as more fully set forth in the Judgment Order entered by the court on October 10, 2019.

The court heard the admissions and objection of the defendant, the testimony of the Government's witness, and the representations and arguments of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found by a preponderance of the evidence that the defendant has violated the conditions of supervised release in the following respect: (1) the defendant, who was to complete a nine (9) month to twelve (12) month residential substance abuse treatment program at Recovery U, started the program on July 17, 2020, and left the program on August 17, 2020, without permission from his probation officer or the court to leave the program, as set forth in the petition on supervised release, and by the court's findings on the record of the hearing.

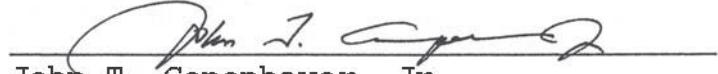
And the court finding, as more fully set forth on the record of the hearing, that the violation warrants revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

And the court having complied with the requirements of Rule 32.1(b) (2) and (c) (1) of the Federal Rules of Criminal Procedure, and finding, after considering the factors set forth in 18 U.S.C. § 3583(e), that the defendant should be confined to the extent set forth below, it is accordingly ORDERED that the defendant be, and he hereby is, committed to the custody of the United States Bureau of Prisons for imprisonment for a period of four (4) MONTHS, and a term of supervised release of thirty (30) months, upon the same terms and conditions as heretofore, except that the special condition is that the defendant shall participate in and successfully complete a residential substance abuse treatment program of a duration of at least six (6) months and as long as twelve (12) months, as directed by the probation officer. The defendant shall arrange that he be transported directly from the place of incarceration to the substance abuse treatment facility.

The defendant was remanded to the custody of the United States Marshal.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: November 10, 2020



John T. Copenhaver, Jr.
Senior United States District Judge